UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/56
18 January 1995

ORIGINAL: ENGLISH

LETTER DATED 18 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith the text of a letter dated 18 January 1995 from the Deputy Prime Minister and Minister for Foreign Affairs of Croatia, Dr. Mate Granić, addressed to you.

I would kindly request your assistance in distributing this letter and its annex as a document of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

95-01580 (E) 180195 190195

/...

Annex

Letter dated 18 January 1995 from the Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Croatia addressed to the President of the Security Council

After careful consideration of the Presidential statement of 17 January 1995 (S/PRST/1995/2) and the report of the Secretary-General of 14 January 1995 (S/1995/38), concerning the present United Nations Protection Force (UNPROFOR) mandate in the Republic of Croatia, I should like on this occasion to reiterate the decision of the Government of Croatia in this regard, as expressed in the letter dated 12 January 1995 from my President (A/50/64-S/1995/28).

Croatia welcomes the call by the Security Council for strengthening the present negotiating process and intensifying the implementation of the economic agreement of 2 December 1994. Croatia remains steadfast in its commitment to political dialogue and the existing negotiations pursued within the framework of the International Conference on the Former Yugoslavia. The economic reintegration agreement which is widely discussed in the report of the Secretary-General and endorsed in the Presidential statement, reflects precisely the approach my Government would like and will continue to pursue. This approach also incorporates an objective to achieve a final political settlement in Croatia through well-directed dialogue in the upcoming months.

Lest our decision of 12 January should cause any possible misunderstanding in the upcoming months, I shall on this occasion note that my President's letter should be interpreted as a withdrawal of consent of the host country for the presence of the peace-keeping operation on its soil. The consent has been withdrawn by that letter, but the effects of that decision have been postponed to a later date. The withdrawal of consent by Croatia for UNPROFOR operation on its territory shall become effective on 31 March 1995, at 2400 hours Zagreb time, and the withdrawal of the Force shall be completed by 30 June 1995. My Government hopes that this clarification will be viewed as a constructive step aimed at commencing the carefully managed process of the withdrawal of UNPROFOR troops from Croatia.

(Signed) Mate GRANIĆ

UNITED
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General Assembly
Security Council

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GENERAL

A/49/832
S/1995/57
19 January 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 39
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 19 January 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I am writing to you concerning the letter dated 11 January 1995 from the Muslim representative of Bosnia and Herzegovina addressed to you transmitting the "Declaration on the Prevention of Genocide against Bosniacs and Croats in Bosnia and Herzegovina, adopted by the Parliament of Bosnia and Herzegovina on 17 December 1994" (A/49/826-S/1995/29), and upon instructions of my Government, I have the honour to state the following.

The Declaration contains a series of erroneous assertions and unfounded allegations about the nature and the causes of the conflict in Bosnia and Herzegovina with the explicit intent of accusing the Serbs and the Federal Republic of Yugoslavia for the alleged aggression and atrocities in this former Yugoslav republic.

However, there is a growing awareness in the international community that the crisis in Bosnia and Herzegovina is not a case of aggression but a civil war among its three constituent peoples. That has been confirmed by Lord Carrington, French Foreign Minister Alain Juppe, Italian Foreign Minister Gianni de Michelis, Russian Foreign Minister Andrey Kozyrev, former Secretary of State of the United States of America James Baker and others.

It is known that the soldiers of the former Yugoslav People's Army (JNA), who were nationals of the Federal Republic of Yugoslavia, were withdrawn from Bosnia and Herzegovina in May 1992. That has been confirmed in the reports of the Secretary-General to the Security Council.

The Serbs can never be labelled as aggressors because they have lived in the territory of Bosnia and Herzegovina for centuries and have owned 64 per cent of its land. Following the one-sided and unconstitutional secession of the

Muslims and Croats in Bosnia and Herzegovina from the Former Socialist Federal Republic of Yugoslavia, the Serbs, as a constituent people of this former Yugoslav republic, were forced to fight for survival and protection of their cultural identity and the right to self-determination. Opposed to the secession, they have been striving to safeguard constitutional order and the rule of law, embracing a democratic solution to the crisis based on the fundamental right to equality among all constituent peoples, which the representatives of Croats and Muslims refused to accept.

The so-called Parliament of Bosnia and Herzegovina represents only the Croats and Muslims. From the Declaration it is evident that the Serbs in Bosnia and Herzegovina do not exist for this "Parliament".

The allegations contained in the Declaration to the effect that the victims of the civil war were only the Croats and Muslims are absurd, to say the least. What, in the eyes of the Muslim-Croat Parliament, do the more than 100,000 Serbs that lost their lives in the civil war in Bosnia and Herzegovina represent? The Muslim representative of Bosnia and Herzegovina informed the President of the Security Council about this in his letter of 22 December 1994 (S/1994/1444).

The Declaration alleges that the Croats and Muslims have been detained in 150 camps. On the other hand, the Declaration makes no mention whatsoever about 152 camps run by the Croat-Muslim authorities in Bosnia and Herzegovina where the Serbs have been detained. The Government of the Federal Republic of Yugoslavia transmitted to the Secretary-General the evidence of the above in its fourth report on the war crimes committed in the territory of the former Socialist Federal Republic of Yugoslavia (A/49/801-S/1994/1436).

The international community and its members have legal, political and, above all, moral responsibility to undertake all measures with a view to preventing genocide and punishing all those who perpetrate it. The question is why the Declaration of the Muslim-Croat Parliament insists on condemning the alleged genocide committed only against the Croats and the Muslims instead of seeking that all instances of genocide in Bosnia and Herzegovina be condemned and that its perpetrators punished, regardless of their nationality.

I should be grateful if you would have the present letter circulated as an official document of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

UNITED
NATIONS

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Security Council

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S/1995/58
19 January 1995

ORIGINAL: ENGLISH

LETTER DATED 18 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF ISRAEL TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I wish to refer to the letter addressed to you by the Permanent Representative of Lebanon dated 16 January 1995 (S/1995/45). This letter reiterates allegations, indeed, repeats phraseology, contained in previous letters of the Permanent Representative of Lebanon. In this regard, I would like to draw your attention to my letter addressed to you dated 1 August 1994 (S/1994/915), in which the position of Israel regarding the situation in southern Lebanon was outlined.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Gad YAACOBI
Ambassador
Permanent Representative of
Israel to the United Nations

95-01717 (E) 190195 200195

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/59
20 January 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 17 JANUARY 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the text of a statement issued on 15 January 1995 by the General People's Committee for Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Ali Sunni MUNTASSER
Deputy Permanent Representative
Chargé d'affaires a.i.

Annex

Statement issued on 15 January 1995 by the General People's Committee for Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya

The General People's Committee for Foreign Liaison and International Cooperation has learnt of statements made by the Speaker of the United States House of Representatives, as reported by the international news media, in which he declares his support for the transfer of the United States Embassy in Israel from Tel Aviv to Jerusalem and maintains that Israel is fully entitled to choose its own capital and that the United States, as Israel's major ally, should endorse and support that choice.

The Committee recalls the resolutions of the General Assembly, most recently that adopted in 1994 at its forty-ninth session, in which the Assembly determined that all legislative measures and actions that had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith.

It further recalls the resolutions of the Security Council, in particular its resolutions 476 (1980) and 478 (1980) in which it decides not to recognize the "Basic Law" on Jerusalem, calls upon those States that have established diplomatic missions at Jerusalem to withdraw such missions from the Holy City, condemns States that have transferred their missions to Jerusalem and urges all States to comply with the provisions of the two resolutions.

Accordingly, Israel's decisions to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are unlawful decisions and are thus null and void and have absolutely no legitimacy.

Thus recalling these resolutions, the General People's Committee for Foreign Liaison and International Cooperation can only set forth the following facts:

1. The statements made by the Speaker of the United States House of Representatives at a time when the Government of the United States of America claims that it is fostering peace in connection with the so-called Middle East issue are giving support and encouragement to Israel, the occupying Power, in the perpetuation of its occupation of the occupied Arab territories, including Jerusalem, and its alteration of their character in violation of all the relevant international resolutions and conventions.

2. That the Speaker of the United States House of Representatives should call for support for the illegal measures taken by Israel that altered or purported to alter the character or status of the Holy City of Jerusalem, in particular the so-called "Basic Law", reflects not the neutral position required by the impartial sponsorship of the peace process that is claimed by the Government of the United States of America but rather support for occupation and for the

legislative and administrative measures and actions taken by Israel with respect to Jerusalem and the alteration of its character and its proclamation as the capital of Israel.

3. This position of support for Israeli occupation and for the measures taken by Israel with respect to the Holy City of Jerusalem is contrary to the will of the international community as reflected in the resolutions adopted by the United Nations General Assembly and the Security Council. The Government of the United States of America, while urging compliance with General Assembly and Security Council resolutions, is thus, by virtue of the call made, conveying its non-compliance with and lack of respect for the will of the international community.

4. The call issued by the Speaker of the United States House of Representatives represents a legal precedent for non-compliance with the implementation of Security Council resolutions, and it accords to States Members of the United Nations the right of non-compliance with them. The implementation of Security Council resolutions has thus come to be based not on sincere compliance with the Charter of the United Nations but on a choice of compliance or non-compliance. Thus, by virtue of the position taken and the position of Israel itself, the United States Administration has come to advocate the non-binding character of the resolutions adopted by the Security Council for all States.

5. The non-binding character of Security Council resolutions, as conveyed by the position of the United States Administration, allows freedom to the States members of the League of Arab States, the Organization of African Unity and the Organization of the Islamic Conference not to implement the resolutions adopted by the Security Council against Libya.

6. The United States position has provided a justification for non-compliance with resolutions adopted by the Security Council. The Great Socialist People's Libyan Arab Jamahiriya thus finds itself at liberty with respect to the resolutions adopted by the Security Council on the so-called Lockerbie affair as long as the international community does not compel the United States of America and Israel to implement other resolutions adopted by the Security Council.

The Charter of the United Nations places all Member States on an equal footing in respect of rights and duties. It is this that represents legal authority for the international community and induces all States to abide by it, applying it in accordance with the principles enshrined in the Charter with regard to relations between States.

In setting forth these facts, the General People's Committee for Foreign Liaison and International Cooperation can only stress the grievous character of the call made by the Speaker of the United States House of Representatives. This is particularly so since he is the presiding officer of the legislature of the United States of America, an institution presumed to respect international covenants and the norms of international law and to urge compliance with them, not to engage in open incitement to their violation or to encourage Israel, the occupying Power, to avoid compliance with them in accordance with standards of force and usurpation.

As it condemns the call issued, the General People's Committee for Foreign Liaison and International Cooperation urges the Security Council and the General Assembly of the United Nations, out of respect for their own resolutions, to adopt a rigorous international position in its regard.

It further calls upon the League of Arab States and upon the Organization of the Islamic Conference and its Al-Quds Committee to condemn the position taken by the United States and to adopt the necessary resolutions thereon.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/60
19 January 1995

ORIGINAL: ENGLISH

LETTER DATED 16 JANUARY 1995 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 940 (1994) of 31 July 1994 by which the Security Council decided to extend the mandate and to increase the troop level of the United Nations Mission in Haiti (UNMIH).

Having completed consultations, I propose that the military component of UNMIH be composed of contingents from the following Member States: Antigua and Barbuda, Argentina, Bangladesh, Barbados, Canada, Djibouti, France, Guatemala, Guyana, Hungary, India, Ireland, Jamaica, New Zealand, Pakistan, Suriname, Trinidad and Tobago, Tunisia and the United States of America.

All of these States have expressed their readiness in principle to make the necessary personnel available.

I am awaiting replies from certain other States which have been informally approached and will revert to the Security Council when I have an indication of whether they are also ready in principle to contribute personnel to this Mission.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

95-01806 (E) 200195 230195

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/61
19 January 1995

ORIGINAL: ENGLISH

LETTER DATED 19 JANUARY 1995 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 16 January 1995 (S/1995/60) concerning the composition of the military component of the United Nations Mission in Haiti (UNMIH) has been brought to the attention of the members of the Council. They agree with the proposal contained in your letter.

(Signed) Emilio J. CARDENAS
President of the Security Council

95-01812 (E) 200195 230195

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/62
23 January 1995

ORIGINAL: ENGLISH

LETTER DATED 20 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a letter addressed to you by H.E. Mr. Osman Ertuğ, representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text of the present letter and its appendix, which contains the text of a statement made by H.E. Rauf Denktaş, President of the Turkish Republic of Northern Cyprus, on 20 January 1995, would be circulated as a document of the Security Council.

(Signed) İnal BATU
Permanent Representative

95-01865 (E) 230195 240195

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Annex

Letter dated 20 January 1995 from Mr. Osman Ertuğ addressed to the President of the Security Council

I have the honour to annex hereto the text of a statement made by President Rauf Denktaş on 20 January 1995 concerning the peace initiative undertaken by the Turkish Cypriot side, which has already been handed over to the Deputy Special Representative of the Secretary-General in Cyprus, Mr. Gustave Feissel.

I would be grateful if the present letter and its appendix are circulated as a document of the Security Council.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus

Appendix

Statement by Mr. Rauf Denktaş, dated 20 January 1995

The Turkish Cypriot people and the Greek Cypriot people are the co-owners of Cyprus and the island is the common home of both peoples. With this in mind, the Turkish Cypriot side has been endeavouring to realize a fair and viable solution to the Cyprus question that would facilitate the sharing of this common home.

The Turkish Cypriot side sincerely wishes a solution to the 32-year-old question of Cyprus. It believes that the status quo could be replaced by a viable solution mutually acceptable to both sides.

In an attempt to contribute to the creation of conditions conducive to the realization of such a viable solution, the Turkish Cypriot side hereinafter makes public some of its ideas and suggestions with the hope that they will receive a positive response from the Greek Cypriot side.

1. The Turkish Cypriot side remains fully committed to a viable bicommunal and bizonal federal solution as set out in the high-level agreements.

In fact, the Turkish Cypriot people confirmed their commitment to a bicommunal and bizonal federal solution on the day they proclaimed the Turkish Republic of Northern Cyprus.

2. The Turkish Cypriot side is of the opinion that, for the establishment of a federal relationship, first and foremost, there is the need to create an environment of mutual trust, cooperation and partnership between the constituent partners and that federations can be formed only between politically equal partners, on a voluntary basis, and for mutual benefit. It is for this reason that the Turkish Cypriot side continues to share the accurate assessment of the Secretary-General, as set out in his report of 19 November 1992, where he stresses that "it appears from the recent joint meetings that there is a deep crisis of confidence between the two sides. It is difficult to envisage any successful outcome to the talks for as long as this situation prevails" (S/24830, para. 63).

In line with the above-stated assessment of the Secretary-General and the Security Council, the Turkish Cypriot side sincerely believes that the implementation of the package of confidence-building measures will facilitate the political process towards a federal settlement.

3. The Turkish Cypriot side has, accordingly, expressed its readiness to implement the package of confidence-building measures in the manner set out by the Secretary-General in his letter to the President of the Security Council dated 28 June 1994 (S/1994/785).

The conclusion of the Secretary-General in the above-stated letter that "... there had now been sufficient progress for the United Nations to implement the package on the basis of the 21 March paper and subsequent clarifications"

strengthens our belief and hope that the confidence-building measure package is in fact ready to be implemented.

The Turkish Cypriot side confirms its commitment to these positions.

In view of the above-stated assessment of the Secretary-General, the Turkish Cypriot side earnestly wishes that this historic opportunity is duly addressed by the two sides, and seen as part of the political process leading towards a final settlement.

4. As is known, the confidence-building measure package includes 12 other important measures in addition to Varosha and Nicosia International Airport.

One of these measures envisages the cooperation of the two sides "... with the United Nations Peace-keeping Force in Cyprus (UNFICYP) in extending the Unmanning Agreement of 1989 to cover all areas of the United Nations-controlled buffer zone where the two sides are in close proximity to each other".

For the purpose of preserving the momentum for the implementation of all the measures set out in the confidence-building measure package, the Turkish Cypriot side suggests that implementation immediately starts with unmanning arrangements.

5. In order to contribute to the creation of an environment of mutual trust, cooperation and partnership and to assist the political process for a bicommunal and bizonal federal solution, we propose the setting up of a transitional joint body under the co-chairmanship of the leaders of the two communities (a) to look into the daily matters and issues of common concern to the two sides; (b) to develop joint projects to deal with such common concerns and issues; and (c) to implement such projects.

6. The Turkish Cypriot side suggests that, following the conclusion of the confidence-building measure agreement, other measures could be negotiated, including matters of a military nature, to improve the environment of confidence between the two communities further.

7. The Turkish Cypriot side proposes that the two sides commence substantive talks on a bicommunal and bizonal federal settlement upon the endorsement of the confidence-building measure agreement by the Security Council.

8. We believe that the two peoples of Cyprus who share the same homeland inevitably also share the same political and economic destiny. The arrangements of 1960 were the products of this reality.

This being the case, the membership of Cyprus in the European Union can only be based on the mutual wish and will of the two communities.

In view of the above, the Turkish Cypriot side wishes to announce, here and now, that it is prepared to discuss the subject of European Union membership of the federal Republic within the framework foreseen in the "set of ideas", as

soon as an agreement is reached on a bicommunal and bizonal federal solution and the equal political status of both communities is respected.

9. We believe that the leaders of the two communities have a significant role to play in the creation of an environment of mutual trust and cooperation. We thus suggest that, as of now, the two leaders undertake to refrain from making statements and accusations that would cause the political atmosphere to deteriorate.

10. To promote further the much desired climate of mutual trust and confidence in all fields, the Turkish Cypriot side suggests that the two sides make a joint declaration of non-aggression.

The Turkish Cypriot side sees the demilitarization of the federal Republic as an objective as set out in the United Nations "set of ideas".

11. The Turkish Cypriot side believes that a viable settlement in Cyprus can be achieved only through dialogue and negotiation between the two sides.

Based on this belief, the Turkish Cypriot side is ready and willing to implement the confidence-building measure package and to negotiate with the Greek Cypriot side, without any preconditions, matters relating to a comprehensive settlement.

12. In the negotiations aimed at the realization of a bicommunal and bizonal settlement, the Turkish Cypriot side continues to support the "land for a viable solution" approach, and is of the opinion that this approach reflects the give-and-take understanding necessary for reaching a realistic and viable solution.

13. Together with the above ideas and suggestions, the Turkish Cypriot side reconfirms the ideas and proposals set out in the letter of the President of the Turkish Republic of Northern Cyprus to the Secretary-General dated 21 November 1994 (S/1994/1330).

14. In order to create an environment of mutual confidence, the Turkish Cypriot side declares that, as a starter and gesture of goodwill, it will unilaterally implement the following:

(a) Measures will be taken for the further betterment of the living conditions of Greek Cypriots in Northern Cyprus;

(b) Similar measures will be taken for the further betterment of the living conditions of Maronites in Northern Cyprus;

(c) Procedures applied to the Greek Cypriot students studying in the south on their visits to their families in Northern Cyprus will be reviewed and bettered;

(d) Bicommunal contacts will be further promoted and encouraged.

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Security Council

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GENERAL

S/1995/63
23 January 1995

ORIGINAL: ENGLISH

LETTER DATED 23 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF ARMENIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward to you herewith a facsimile of a circular note issued on 22 January 1995 by the Ministry of Foreign Affairs of the Republic of Armenia.

I should be grateful if you would circulate the present letter and it annex as a document of the Security Council.

(Signed) Alexander ARZOUMANIAN
Permanent Representative

95-01903 (E) 240195 250195

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Annex

Circular note dated 22 January 1995

The Government of the Republic of Armenia is compelled to invite the attention of the international community, especially the United Nations Security Council, the Chairman-in-Office of the Organization for Cooperation and Security in Europe (OSCE) and the Co-Chairmen of the OSCE Minsk Group of the Minsk Conference to actions taken by the Government of Azerbaijan that constitute serious violations of the letter and spirit of cease-fire agreements in the Nagorny Karabakh conflict.

The Government of Armenia expresses deep concern regarding the following developments, based on information from Defence Ministry sources of Nagorny Karabakh and Armenia.

1. During the past 20 days there has been an intensification of military activities along the Armenian-Azerbaijani border and the front line. These include:

(a) Deployment of new military units along the front line;

(b) Rearrangement of the Azerbaijani artillery;

(c) Redeployment of four Azerbaijani regiments from Nakhichevan to the Horadiz front;

(d) Increasing incidents of sniping by Azerbaijani soldiers, as a result of which 10 Armenian soldiers have been killed or wounded during the past 20 days.

The Ministry of Defence of Armenia has regularly contacted the Ministry of Defence of Azerbaijan to express our concerns regarding this new build-up and to warn of the dangers inherent in the situation, without any results.

2. The military activities have been accompanied by what could be interpreted as preparatory propaganda, including:

(a) Repeated and unfounded charges by Azerbaijani authorities of cease-fire violations on the part of Armenian forces;

(b) The 20 January 1995 warlike speech by President H. Aliyev of Azerbaijan, which seems to be preparing his country for an offensive.

This new wave of propaganda can only create a war atmosphere in Azerbaijan, reminiscent of similar propaganda campaigns preceding Azerbaijani offensives in the past.

3. At 11.45 a.m. on 22 January, the pipeline carrying natural gas to Armenia and passing through Georgia was once more blown up in a section about 5 kilometres from the Georgian-Azerbaijani border.

The Government of Armenia holds the Government of Azerbaijan responsible for this renewed act of international terrorism and has repeatedly warned Azerbaijan regarding such brinkmanship. Armenia has also informed all concerned of the Azerbaijani violations of the cease-fire and their consequences.

The Government of Armenia regrets that the international community failed to take appropriate measures following the warning which President Levon Ter-Petrossian issued at the Budapest Summit in December 1994 concerning such acts of war, which threaten the vital interests of Armenia.

At no time since May 1994, when the first cease-fire agreement went into effect, has there been such danger of renewal of military hostilities. The Government of Armenia awaits action by the international community to diffuse the tension created by Azerbaijan in order to preserve the fragile yet precious cease-fire and make possible the next phase of negotiations.

Reaffirming their commitment to the cease-fire, Armenia and Nagorny Karabakh also express their continuing determination to refrain from verbal warfare and, therefore, will not use the above facts in a propagandistic manner which may result in a negative public reaction.

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General Assembly
Security Council

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~~A/50/67~~
S/1995/64
23 January 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
MEASURES TO ELIMINATE
INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fiftieth year

Letter dated 23 January 1995 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to the grave act of terrorism committed in Israel by Palestinian terrorists yesterday, in which 19 Israeli citizens were killed. The following are the details of the attack:

(a) On 22 January 1995, at approximately 9.20 a.m., Palestinian terrorists detonated two explosive devices, timed several minutes apart, at a crowded bus stop at the Sharon Junction (Beit Lid), in central Israel. Rescuers assisting the victims of the first explosion themselves became victims as the terrorists set off the second explosion;

(b) The attack killed 19 people, and wounded 66, 13 of whom are listed in critical condition;

(c) The fundamentalist organization Islamic Jihad claimed responsibility for the attack, which it said was carried out by two of its members from the Gaza Strip. At the houses of the perpetrators in the Gaza Strip, thousands of supporters of Islamic Jihad gathered openly to express delight at the killings.

Since the signing the Declaration of Principles with the Palestine Liberation Organization (PLO) on 13 September 1993, 110 Israelis have been killed by Palestinian terrorists in 49 separate attacks.

These attacks were committed by Islamic fundamentalist terrorists affiliated with organizations that receive support and guidance from certain States in the region. These, no less than the perpetrators themselves, bear responsibility for the violence and should be held accountable.

The grievous act of violence committed yesterday demands an unequivocal condemnation on the part of the international community. Israel calls upon the parties in the region and the entire international community to cooperate in combating all forms of terrorism.

The fundamentalists are attempting to undermine the progress towards peace being achieved in the region. To achieve their ends, they rely on indiscriminate violence and bloodshed. The international community must not permit them to determine the fate of the peoples and future generations of the Middle East.

I should be grateful if you would have this letter circulated as an official document of the General Assembly, under the item entitled "Measures to eliminate international terrorism", and of the Security Council.

(Signed) Gad YAACOBI
Ambassador
Permanent Representative of Israel
to the United Nations

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/65
25 January 1995

ORIGINAL: ENGLISH

SECOND REPORT OF THE SECRETARY-GENERAL ON SECURITY IN THE RWANDESE REFUGEE CAMPS

I. INTRODUCTION

1. The present report is submitted in pursuance of the statement by the President of the Security Council dated 30 November 1994 (S/PRST/1994/75), in which the Security Council stressed that a determined effort must be made by the international community to promote the repatriation of the Rwandese refugees, to reduce intimidation of prospective returnees and to improve security in the Rwandese refugee camps, especially those in Zaire. To that end, the Security Council requested me, inter alia, to continue to explore, as appropriate, all possible means of addressing the problems of security in the Rwandese refugee camps.

2. While there have been some positive developments since my report of 18 November 1994 (S/1994/1308) in respect of the creation of conditions conducive to repatriation, the continuing presence of nearly 2 million Rwandese refugees in Burundi, the United Republic of Tanzania and Zaire is a matter of serious concern. The general security situation in the camps remains dangerous for both refugees and relief workers. The situation is also potentially destabilizing for the host countries and for the subregion as a whole. The only effective solution to this problem remains the safe and voluntary repatriation of the refugees. Accordingly, and taking into account the improving situation within Rwanda, the Office of the United Nations High Commissioner for Refugees (UNHCR) reiterated, in December 1994, that it would assist, wherever possible, the voluntary return of those refugees who wished to go back to Rwanda.

3. The Government of Rwanda has signed tripartite agreements with UNHCR and the Governments of Burundi and Zaire respectively on the voluntary repatriation of refugees. These agreements define the conditions for repatriation, including returnee protection and land tenure. The Governments of Rwanda and the United Republic of Tanzania are also involved in an ongoing dialogue on issues affecting the refugees in the latter country and their repatriation to Rwanda.

4. So far, only 200,000 refugees out of those who left the country after 6 April 1994 have returned to Rwanda. As indicated in my report of 18 November, the combined factors of intimidation by the former government leaders, military

and militia of refugees who wish to return to Rwanda and the concern on the part of the refugees that they may face reprisals and/or may not be able to regain their property once they do return to the country continue to be the main factors impeding repatriation.

5. In pursuance of the Security Council's presidential statement of 30 November, I dispatched a joint technical team from the Department of Peace-keeping Operations and UNHCR, to Rwanda, the United Republic of Tanzania and Zaire from 11 to 19 December to review the situation prevailing in the refugee camps. The team's findings are summarized below.

II. PRESENT SITUATION

A. Refugees in Burundi

6. There are approximately 200,000 refugees, mostly from southern Rwanda, in Burundi, primarily in the northern region of the country. There is constant movement of refugees in this area, as Rwandese continue to seek security in Burundi and both Rwandese and Burundi nationals continue to move to the United Republic of Tanzania in search of more secure conditions.

7. Considering the very sensitive nature of the security problems in Burundi, UNHCR's efforts to address security in the refugee camps essentially have centred around improved monitoring of the prevailing conditions, through an effective field presence and vigorous démarches with the civilian and military authorities. UNHCR plans to continue to pursue this course of action, and is assigning an increased number of experienced officers not only to the regions of Burundi hosting refugees but also to the capital.

B. Refugees in the United Republic of Tanzania

8. There are approximately 600,000 Rwandese refugees living in eight camps in the United Republic of Tanzania. While the population of these camps continues to increase, this influx, as noted above, consists mostly of Rwandese refugees from Burundi and Burundi nationals seeking more secure conditions.

9. The camps in the United Republic of Tanzania are relatively more secure and better organized than those in Zaire, mostly because fewer refugees fled to this area and the relief community was already established in the area before the influx took place. As in Zaire, the refugees have created governing structures similar to those that existed in Rwanda, beginning at the prefecture level and extending down to the commune level. They have chosen leaders who exercise authority at all levels of this hierarchy. (Some of these leaders held the same positions before the war.) As in refugee camps elsewhere, the local governing structure in the Rwandese camps in Zaire and the United Republic of Tanzania provides a sense of organization in the camps, as well as a security mechanism, and facilitates the delivery of relief assistance.

10. The refugees in the Tanzanian camps have been registered, and assistance is therefore delivered directly to them. Hence, there is no scope for the misuse

of assistance by refugee leaders, as has been the case in Zaire. However, extremist elements in the camps in the United Republic of Tanzania are reported to have considerable influence over the refugee population, though to a lesser extent than in Zaire.

11. The Tanzanian Government and UNHCR have determined that security in the camps can be enhanced through the deployment of Tanzanian police personnel. These personnel not only must be sufficient in number but must also be adequately equipped to maintain law and order. So far, 310 Tanzanian police, both general duty and special forces, have been assigned to the refugee camps. They are currently receiving assistance from UNHCR, covering such items as tents and food rations, as well as incentive allowances. UNHCR has also made vehicles and communications equipment available to the Tanzanian police force.

12. The refugee population has also created its own security force, the "refugee guardians", which cooperates with the Tanzanian police force. While conditions are currently stable in the camps, it is nevertheless felt that, given the degree of control the leaders have over the camp population, they could easily allow the security situation to deteriorate, should it be in their interest to do so.

C. Refugees in Zaire

13. There are approximately 1.4 million Rwandese refugees living in the camps in Zaire. These camps continue to be the most potentially explosive, with the most acute security situation in the camps north of Lake Kivu, in the Goma region, where approximately 850,000 refugees are located. It is therefore considered that, while further steps need to be taken to increase security in the camps in the United Republic of Tanzania and Burundi, priority should be accorded to increasing security in the camps in Zaire, especially in the Goma region.

14. For the most part, the refugees in the Goma area of Zaire fled Rwanda in mid-1994. The political leaders of the former Government, as well as their armed forces and the militia, fled to this area together with countless civilians as the Rwandese Patriotic Front (RPF) gained control over the western part of Rwanda in the last days of the war. As a result, the refugee population in Zaire tends to include more political, military and militia elements of the former Government than the camps in the United Republic of Tanzania or Burundi and their hostility towards the Government in Kigali is reflected in actions that have led to insecure conditions in the camps.

15. More specifically, the refugees are intimidated from publicly expressing their desire to return to Rwanda. The lives of such people, as well as the lives of politically moderate refugees or those who may have intermarried or are suspected of being infiltrators are seriously threatened and some of them are known to have been killed. There is also a significant threat of civil disturbances in the camps. This threat is especially acute when refugees congregate together, for example, when relief supplies are distributed. In addition, as in any area containing a large number of people living in highly dense and impoverished conditions, common crime is prevalent in the camps.

16. The threat to the safety of international relief workers is also significant. There are now 45 non-governmental organizations (NGOs) and about 1,600 international relief workers in the Goma area alone. A large number of local Zairian and Rwandese relief personnel also work in the camps. The security threat to these relief workers includes harassment, especially on their way to and from the camps when they are frequently stopped, in some cases at gunpoint, and asked to pay tolls or are threatened for other reasons. There is also a significant risk that relief workers can be caught up in civil disturbances or incidents between refugees themselves. Some relief workers have been threatened by refugees who for some reason wrongly perceive them to be opposed to their interests.

17. Initially, the leaders in the camps were called upon to facilitate the delivery of relief assistance. Unfortunately, they misused this responsibility by using the delivery of assistance to persuade refugees to behave according to their interests and by hoarding and/or selling such assistance rather than distributing it. As a result, the incidence of malnutrition, especially in the most vulnerable groups, including women, children and the elderly, was initially much higher than it should have been given the level of assistance provided. Recently, it has however been possible to provide assistance more directly to the beneficiaries and, as a result, both the negative influence of the camp leaders and levels of malnutrition have been reduced. In addition, UNHCR is about to proceed with the registration of refugees in the camps, which will also help to ensure more effective delivery of relief assistance.

18. The Government of Zaire has taken steps in recent months to enhance the security situation in the camps. As a result, the security situation has improved somewhat since my last report. However, it is assessed that the potential for serious disturbances remains extremely high.

19. Recently, Japanese and United States seismologists have detected new signs of a possible volcanic eruption in the seismically active area of Goma. A UNHCR task force is preparing contingency plans for evacuation from camps that might be affected, including the identification of temporary sites for the relocation of the refugee population concerned. In the meantime, seismic activity is being monitored on a regular basis.

20. The majority of refugees are aware that their long-term interests will be served only by returning to Rwanda and that assistance cannot be provided to them indefinitely in the camps. It is assumed that at least 25 per cent of the refugees would not face land tenure problems upon their return to Rwanda and that, under present conditions, 25 to 50 per cent of the refugees could return in the next 6 to 12 months. UNHCR also considers that, if security is provided for repatriation, the rate of voluntary return to Rwanda would increase.

III. MEASURES FOR THE ESTABLISHMENT OF SECURE CONDITIONS IN THE CAMPS

A. Peace-keeping operation

21. In its presidential statement of 30 November, the Security Council requested me to consult with potential troop-contributing countries to assess their willingness to participate in a possible peace-keeping operation to enhance security in the camps modelled along the lines described in paragraphs 18 to 25 of my report of 18 November. The Council also requested me to provide a detailed description of the objectives, rules of engagement and costs of such an operation. Accordingly, the joint Department of Peace-Keeping Operations/UNHCR technical team was asked to collect pertinent information for use in the formulation of recommendations along the lines requested by the Security Council.

22. It will be recalled that the objective of the peace-keeping operation outlined in paragraphs 18 to 25 of my 18 November report was to provide security for international relief workers, protection for the storage and delivery of humanitarian assistance and safe passage to the Rwandese border for those refugees who wish to return to Rwanda. It was estimated that a force size of approximately 3,000 all ranks would be required to carry out these tasks in the camps north of Lake Kivu. A parallel operation, launched simultaneously in the area south of Lake Kivu, where conditions are marginally more secure, would require an additional 2,000 troops.

23. The proposed peace-keeping operation was to be conducted in two phases. During the first phase, two mechanized battalions would cordon off and establish secure areas in the camps, within which local security units would be formed and trained by international security experts. During the second phase of the operation, once reasonably secure conditions were deemed to have been created, the local forces would take over the security functions being performed by the peace-keeping troops, with back-up support provided by a smaller group of United Nations military personnel. The mechanized battalions would then move forward to create similar secure areas in other locations.

24. The joint technical mission confirmed the feasibility of such an approach, but considered that the operation would require more than the originally estimated 3,000 to 5,000 troops. It estimated that the tasks in the north Kivu region alone would require a force of 4,100, including military logistic support units, instead of 3,000 as indicated in my report of 18 November. The mission further concluded that a similar operation in the south Kivu region also would require a substantially stronger force than originally anticipated. The rules of engagement for such an operation would, in accordance with normal practice, authorize the use of force in self-defence, including against forcible attempts to impede the discharge of the operation's mandate. In addition, as foreseen for the United Nations Assistance Mission in Rwanda (UNAMIR) under resolution 918 (1994), the force would be authorized to take action against persons or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief.

25. Since the adoption of the presidential statement of 30 November, I have consulted with about 60 potential troop-contributing countries to ascertain their readiness to make available the troops necessary to undertake such an operation. As of 23 January, only one country had formally offered a unit. Under these circumstances, it is clear that the option of deploying a peace-keeping force to address the security issues in the refugee camps in Zaire is not feasible. Accordingly, it has not been considered necessary to prepare cost estimates for this option.

B. Alternative measures

1. An international police/military observer group

26. In its presidential statement of 30 November, the Security Council also requested me to assess the possibility of interim measures aimed at providing immediate assistance to the Zairian security forces in protecting humanitarian operations in the camps, including the possibility of deploying security experts, from member Governments or through contractual arrangements, to train and monitor the local security forces. Towards this end, the joint Department of Peace-Keeping Operations/UNHCR technical mission explored the possibility of an approach based on the deployment of Zairian security forces, which would assume responsibility for improving security in the camps, with the support of a group of United Nations civilian police and military observers.

27. In order to enhance security in the camps, it was considered that the local security forces should perform the following tasks:

(a) Patrolling. As noted above, refugees suffer from the high incidence of common crime, in addition to intimidation. Relief workers can also be easily caught up in civil disturbances. A 24-hour patrolling presence of security personnel could help to maintain law and order, thus alleviating such threats. These personnel would gradually develop relations with the refugees and their governing structures and would work with them in controlling and abating the incidence of common crime;

(b) Escort and guarding of static points. Given the risks present in travelling to and from Goma, an escort capacity should be created to accompany relief workers when travelling at night and in the early morning. A security presence would also be of benefit at static positions in the camps, including, for example, at aid-distribution points, UNHCR and NGO focal sites, hospitals, feeding centres and dispensaries. A security presence would also be required to keep a sense of order and calm during the census and registration of the refugees, which UNHCR is planning to conduct in the camps in the near future;

(c) Storage and transport of humanitarian assistance. The main security issue related to the storage of relief assistance is the looting of warehouses. While these areas are currently guarded, the problem of looting has not been alleviated. An additional security presence, as well as increased lighting and fencing, are therefore required. The transport of assistance to and from the warehouses is deemed to be threatened at this time;

(d) Security for repatriation. Enhanced security is of particular importance to facilitate the repatriation of refugees who have expressed the wish to return to Rwanda. At present, just indicating a desire to return to Rwanda can put refugees in considerable danger. It is therefore considered essential that, upon indicating to relief workers their desire to return to Rwanda, refugees should be offered security, including immediate transfer to transit camps. Such camps would be established in Zaire at some distance from the refugee camps to house refugees until they can be transported to the border. These camps would require a 24-hour security presence. Security for the transportation of refugees to the border, which is now provided, should be strengthened.

28. As indicated above, it was envisaged that these tasks could be carried out by a local security force. A group of approximately 150 to 200 United Nations civilian police officers would be required to train and monitor the local forces. In addition, about 30 to 50 military observers would be deployed to liaise with the local forces at the command level on issues related to the overall implementation of the operation. The military observers would also assist coordinate repatriation.

29. During my meeting with him on 15 December 1994, the Prime Minister of Zaire, H.E. Mr. Kengo Wa Dondo, confirmed to me his Government's readiness to provide the troops necessary to enhance security in the camps. I therefore instructed my Special Representative for Rwanda, Mr. Shaharyar Khan, to visit Kinshasa to discuss with Zairian officials the possibility of the Government of Zaire undertaking these tasks, on the understanding that the international community would be encouraged to assist with an appropriate level of logistic and financial support.

30. Mr. Khan visited Kinshasa from 28 to 31 December. He was accompanied by a representative of UNHCR as well as the UNAMIR Deputy Force Commander and logistic experts. In Kinshasa, Mr. Khan was received by the Prime Minister and met with the Ministers of Defence, Justice, Foreign Affairs and the Interior. Technical talks were also held at the working level. Zairian officials indicated their Government's hope that the refugees would soon return to Rwanda. They stressed that effective steps should be taken in Rwanda to ensure that repatriation could take place in conditions of safety and dignity. They also reiterated the Zairian Government's commitment to address the security situation in the camps and indicated its readiness to initiate prompt action in that regard, with the cooperation and support of the United Nations.

31. The Government of Zaire indicated that it would be prepared to deploy a national security force of about 1,500 to 2,500 troops to the camps. Through technical discussions, the modalities of the logistic and other external support needed for these troops were considered. The Government welcomed the proposal that international police and military observers be deployed to the area to provide technical advice to the local security force and to monitor and coordinate the operation. However, it pointed out that it did not favour deployment of United Nations peace-keeping troops to the camps.

32. In order to pursue this option, nearly 50 Member States were contacted to ascertain their willingness to provide police personnel, stressing the

importance of French-speaking personnel. As of 23 January, only four countries had expressed an interest in providing civilian police personnel and only one of these countries was French-speaking. As regards military observers, it was felt that, in order to expedite implementation, the military observers could perhaps be provided by UNAMIR on a temporary basis, subject to the concurrence of the contributing countries concerned. These countries have been consulted in this regard. However, only one of them has so far responded that it would, in principle, be prepared to allow its military observers to operate in Zaire. It therefore seems that this second, more modest, approach to enhancing security in the camps in Zaire faces difficulties and cannot be pursued, at least at present.

33. Mr. Khan also visited the United Republic of Tanzania on 4 and 5 January 1995, where he was received by President Mwini and Prime Minister Msunya. While in Dar-es-Salaam, he also met with the Chief of Defence Staff of the Tanzanian Army and the Inspector-General of the Police. The Tanzanian Government also indicated its view that the refugees should return to Rwanda and that efforts should be continued to ensure that conditions conducive to voluntary repatriation of the refugees were created inside the country.

34. As noted above, at present, 310 Tanzanian police officers are providing security in the camps. The Government indicated that it would be prepared to increase this force to 500, but that it would require logistic and operational support from external sources in order to do so. Some support towards this end is currently being provided by the Government of the Netherlands through UNHCR.

2. Contractual arrangements

35. Another possibility, which has been explored by the Secretariat on a contingency basis, is the provision of training and monitoring support to the local security forces through contractual arrangements with a private organization. Under such arrangements, a local force would be trained by a team of 50 international instructors, 10 of whom would remain behind after the initial training was completed to provide further on-the-job training assistance. An additional 40 international experts would be required to monitor the operation and for liaison and coordination functions. It is estimated that the training programme would take a period of one month for each group of local personnel trained and that, within two months of the start of the operation, the first group of local personnel could be deployed to its area of operations. Within four months, the entire local force would be trained and deployed to the camps both north and south of Lake Kivu.

36. The possibility of undertaking such an operation, including the provision of logistic and other support to the local security forces, has been discussed with UNHCR. However, initial financial estimates show that an operation of this nature would be costly. Moreover, since it would have to be funded entirely through voluntary contributions, UNHCR does not feel that it would be able to mobilize the necessary resources, especially since some potential donor Governments have indicated that they would not be in favour of this approach.

C. Security measures through UNHCR

37. Since the various options described above do not appear feasible, at least at the present stage, I have recently held further consultations on the problem of security in the refugee camps, especially those in Zaire, with the United Nations High Commissioner for Refugees, Mrs. Sadako Ogata. As a result of these consultations, it has been decided that UNHCR would follow up with the Government of Zaire on the discussions held by my Special Representative, with a view to concluding appropriate arrangements, under UNHCR's refugee protection and humanitarian assistance mandate, to enhance security in the camps. I have informed the Prime Minister of Zaire accordingly and have expressed to him the hope that these discussions would lead to the early definition and implementation of mutually acceptable arrangements to enhance the safety and security of the Rwandese refugees in Zaire.

38. UNHCR has dispatched a Special Envoy to Kinshasa for this purpose. UNHCR will keep me informed of the progress made in this regard and I shall advise the Security Council accordingly. UNHCR will also continue to explore means of augmenting support to the Tanzanian Government to enable it to increase the level of security it is currently providing in the camps. As regards the refugee camps in Burundi, UNHCR has indicated that, for the time being, the security situation in these camps is being adequately addressed through the measures described in paragraph 7 above. UNAMIR, for its part, will continue to coordinate closely with UNHCR in facilitating the safe and voluntary repatriation of the refugees to Rwanda.

IV. OBSERVATIONS

39. The scope and complexity of the problems in the Rwandese refugee camps, especially those in Zaire, represent an unprecedented challenge. It is therefore not surprising that the search for an appropriate solution to these problems has been a difficult process. As the present report demonstrates, the options aimed at enhancing security in the camps through a peace-keeping operation, under one form or another, do not appear viable, at least at the present time.

40. Peace-keeping is essentially an instrument for conflict management and resolution. It is true that in recent years it has undergone an important quantitative and qualitative evolution. However, it is not designed and has not generally been used to ensure security in refugee camps. Indeed, it has traditionally been the responsibility of the host countries to provide security to the refugees located on their territory, albeit with an appropriate level of support from the international community.

41. I therefore understand the hesitations of Member States regarding the idea of seeking a solution to the security problems in the camps through the instrument of peace-keeping. There is no doubt, however, that the innocent civilians, who fled Rwanda in the wake of a devastating civil war and are exposed daily to intimidation and violence in the camps, deserve the continued attention and assistance of the international community, both where they are now and in their efforts to return to their country. Furthermore, the humanitarian

relief personnel, who are risking their lives to ensure that basic assistance reaches the refugees, should be provided with adequate security to be able to carry out their work effectively. I therefore strongly urge the international community to support the efforts of UNHCR, in cooperation with the Governments of Zaire and the United Republic of Tanzania, to put in place satisfactory security arrangements in the camps and to provide generously the resources required for this purpose.

42. Strengthening security in the camps is an indispensable step for creating conditions conducive to the voluntary repatriation of the refugees. However, as I stressed in my report of 18 November, any effort to provide security in the camps would be futile unless parallel steps are also taken inside Rwanda to ensure that the refugees can return to their home communities without fear of retribution or persecution and to promote genuine national reconciliation between all segments of Rwandese society. Until now the Government of Rwanda, which assumed power in a traumatized and shattered country, with its infrastructure virtually destroyed and its inhabitants severely dislocated, has been bereft of even the minimum resources to begin to restore normal conditions. The commitments made at the recent Round-table Conference on Rwanda and in response to the consolidated inter-agency appeal bring some hope that this process now can commence. This in turn would promote the prospects of reinvigorating the political process and providing a framework for the action to be taken to address security in the camps and repatriation of the refugees to Rwanda, as suggested by the Security Council in its statement of 30 November 1994.

43. The summit meeting of the leaders in the subregion, held in Nairobi on 7 January 1995, made a useful contribution towards the definition of such a framework. This meeting brought together the Presidents of Burundi, Kenya, Rwanda, the United Republic of Tanzania, Uganda and Zambia and the Prime Minister of Zaire. My Special Representative for Rwanda also attended the meeting. The regional leaders emphasized the close relationship between improving both security in the refugee camps and conditions inside Rwanda in order to create an environment conducive to the voluntary repatriation of the refugees. In this connection, they affirmed their support for the establishment and operationalization of the International Tribunal for Rwanda; the separation of suspected perpetrators of genocide from innocent refugees and the separation of intimidators from the refugee camps, as well as the establishment of safe corridors from refugee camps to the Rwandese border and of safe corridors and transit points inside Rwanda. They commended the Government of Rwanda for the steps it has so far taken to establish a broad-based government administration and urged the Government, towards this end, to deepen its efforts, in the spirit of the Arusha peace accord. They further urged the Government of Rwanda to put in place additional confidence-building measures to encourage the voluntary return of refugees. The regional leaders also urged the international community to increase its economic support for the rehabilitation and reconstruction of Rwanda.

44. The progress achieved at the regional summit of 7 January should facilitate the work to be undertaken during the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region to be hosted by the Organization of African Unity and UNHCR in Bujumbura in mid-February. A

preparatory meeting for the Conference was held in Addis Ababa on 9 January. I hope that the Conference will lead to further progress in creating the conditions necessary for the refugees and displaced persons to return to their homes in safety and dignity and that it will open the way to the holding of a broader conference aimed at identifying long-term solutions to promote and ensure peace, security and development in the subregion. Preliminary consultations with interested Governments are currently under way to develop a consensus on the issues to be addressed by such a conference.

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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS INTERIM FORCE IN LEBANON

(for the period 21 July 1994 to 20 January 1995)

Introduction

1. By its resolution 938 (1994) of 28 July 1994, the Security Council decided to extend the mandate of the United Nations Interim Force in Lebanon (UNIFIL) for a further period of six months, until 31 January 1995. The Council also reiterated its strong support for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries; re-emphasized the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, 1/ approved by the Council in its resolution 426 (1978) of the same date; called upon all parties concerned to cooperate fully with the Force for the full implementation of its mandate; and reiterated that UNIFIL should fully implement its mandate as defined in Council resolutions 425 (1978) also of 19 March 1978, 426 (1978) and all other relevant resolutions. The Council requested the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the resolution and to report to the Council.

Organizational matters

2. As of January 1995, the composition of UNIFIL was as follows:

Fiji	HQ UNIFIL	21	
	Infantry battalion	588	
	Force Mobile Reserve	34	
	Military police	8	651
Finland	HQ UNIFIL	14	
	Infantry battalion	480	
	Force Mobile Reserve	20	
	Military police	9	523

France	HQ UNIFIL	12	
	Composite unit (maintenance element and defence company)	249	
	Military police	3	264
Ghana	HQ UNIFIL	23	
	Infantry battalion (including engineer company)	717	
	Force Mobile Reserve	36	
	Military police	7	
	Camp command	2	785
Ireland	HQ UNIFIL	33	
	Infantry battalion	572	
	HQ Camp command	27	
	Force Mobile Reserve	17	
	Military police	12	661
Italy	HQ UNIFIL	5	
	Helicopter unit	37	
	Military police	2	44
Nepal	HQ UNIFIL	17	
	Infantry battalion	617	
	Force Mobile Reserve	29	
	Military police	5	668
Norway	HQ UNIFIL	29	
	Infantry battalion	604	
	Maintenance company	162	
	Force Mobile Reserve	32	
	Military police	15	842
Poland	HQ UNIFIL	17	
	Logistic battalion	333	
	Engineer company	130	
	Medical unit	71	
	Force Mobile Reserve	4	
	Military police	8	563
	Total		5,001

In addition to the above, UNIFIL employed 521 civilian staff, of whom 136 were recruited internationally and 385 locally. The deployment of UNIFIL is shown on the map annexed to the present report.

3. Major-General Trond Furuhovde of Norway continued as Force Commander.

4. Fifty-nine military observers of the United Nations Truce Supervision Organization (UNTSO) assisted UNIFIL in the performance of its tasks. These unarmed officers are organized as Observer Group Lebanon and are under the

operational control of the Force Commander of UNIFIL. They man the five observation posts along the Lebanese side of the Israel-Lebanon armistice demarcation line. They also operate five mobile teams in that part of the area of operation which is controlled by Israel.

5. The overall strength of UNIFIL decreased slightly as a result of the reduction of the Nepalese battalion by 50 in September 1994 and the withdrawal of 180 all ranks by the French Government in December 1994. The latter performed maintenance functions that have been taken over by the Norwegian maintenance company and the civilian transport section.

6. In my last report (S/1994/856, para. 29), I reported that I had initiated a study on how UNIFIL could perform its essential functions at a reduced strength. The study, which was prepared by the Force Commander and his staff, offers no alternative to the present concept of operations and deployment and contains no recommendations for a reduction in UNIFIL's operational capacity. However, it identifies possibilities for streamlining and achieving economies in the areas of maintenance and logistic support. I intend to pursue these and report thereon to the Security Council.

7. I regret to report that two Ghanaian soldiers died of natural causes. Since the establishment of UNIFIL, 202 military members of the Force have died, 76 as a result of firing or mine or bomb explosions, 82 in accidents and 44 from other causes. Three hundred and twelve have been wounded by firing or by mine or bomb explosions.

8. UNIFIL maintained close contact and cooperation with the Lebanese authorities on all matters of mutual concern. Those authorities rendered assistance to UNIFIL in connection with the rotation of troops through Beirut and other logistic activities. Lebanese army officers were particularly helpful in defusing confrontations with armed elements. The Force continued to cooperate with the Lebanese gendarmerie on matters pertaining to the maintenance of law and order.

9. Despite numerous representations at the highest level of government, the Lebanese authorities have failed since 1987 to reimburse the owners of the land and premises being used by UNIFIL. The situation has created increasing difficulties for the Force and has adversely affected its ability to function.

Financial aspects

10. By its resolution 49/226 of 23 December 1994, the General Assembly appropriated to the Special Account for UNIFIL a total amount of $67,407,000 gross ($65,225,000 net) for the period from 1 February to 31 July 1995, subject to the Security Council's decision regarding the extension of the Force's mandate beyond 31 January 1995. Should the Council decide to extend the mandate beyond that date, the costs to the United Nations of maintaining the Force during the extension period would be within the appropriation provided by the Assembly in its resolution 49/226, assuming an average strength of 5,015 and continuation of existing responsibilities.

11. As of 31 December 1994, unpaid assessed contributions to the UNIFIL Special Account amounted to $203.5 million. The total unpaid assessed contributions for all peace-keeping operations at that date amounted to $1,286.4 million.

Situation in the area of operation

12. Israel continued to control in southern Lebanon an area manned by the Israel Defence Forces (IDF) and the de facto forces (DFF), the so-called "South Lebanon Army". The boundaries of the Israeli-controlled area (ICA) have not been clearly defined but are determined de facto by the forward positions of IDF/DFF. It includes territory adjacent to the armistice demarcation line, parts of the Fijian, Nepalese, Irish, Ghanaian and Finnish battalion sectors and the entire Norwegian battalion sector, as well as sizeable areas to the north of UNIFIL's area of operation. Within the area of operation, IDF/DFF manned 69 military positions, as shown on the annexed map. The map also indicates where ICA extends beyond the limits of UNIFIL's area of operation.

13. Within the ICA, Israel maintained, in addition to DDF, a civil administration and a security service. Movement between the ICA and the rest of Lebanon was strictly controlled; crossings were closed frequently. The ICA remained economically dependent on Israel. An estimated 3,000 jobs in Israel were held by Lebanese from the ICA. Access to such jobs was controlled by DFF and the security services. There were again reports of forced recruitment to DFF, including the recruitment of persons under the age of 18.

14. UNIFIL observed 87 operations against IDF/DFF by armed elements who have proclaimed their resistance against Israel's occupation (6 in the latter part of July, 18 in August, 9 in September, 8 in October, 8 in November, 24 in December and 14 in the first half of January). There were also numerous reports of attacks against IDF/DFF positions north of the Litani River. In their operations, the armed elements employed roadside bombs, rockets, mortars, rocket-propelled grenades and anti-tank missiles.

15. IDF/DFF continued their own attacks and retaliatory firing against armed elements employing artillery, mortars, tanks and aircraft. UNIFIL recorded over 16,000 artillery, mortar and tanks rounds fired by IDF/DFF, compared to a total of 10,500 during the previous six months.

16. In some cases, IDF/DFF fire was directed at villages, causing damage and casualties among the inhabitants. There were two reported incidents in which armed elements responded by firing rockets into northern Israel. On 4 October, an Israeli aircraft bombed the village of Deir az Zahrani, near Nabatiyeh, killing and injuring several civilians. The bombing, which Israeli authorities said was a mistake, was followed by the firing of several rockets into northern Israel, causing injuries to three civilians. On 20 October, IDF/DFF artillery and tank fire killed seven civilians and wounded six others in villages near the town of Nabatiyeh, to the north of UNIFIL's area of deployment. Several of these casualties were caused by fléchette anti-personnel shells. This shelling was strongly protested to Israeli authorities. Several rockets were fired into northern Israel in response to the shelling.

17. During the period under review, there were 197 instances of firing by IDF/DFF at or close to UNIFIL positions and personnel. All such firings were routinely protested to the Israeli authorities.

18. UNIFIL continued to oppose attempts by armed elements to use its area for hostile purposes. At times, this led to friction at UNIFIL's checkpoints, followed by harassment and threats directed at the members of the Force. Such cases were generally resolved through negotiations.

19. In the evening of 22 September, three soldiers of the Fijian battalion were wounded and their vehicle was seriously damaged by a roadside bomb explosion. The bomb appeared to have been aimed at the Fijian battalion as it was placed at a road that was used mainly for patrolling by that battalion. In a similar incident on 7 November, which took place south of the village of Al Hinniyah in the Nepalese battalion sector, two soldiers of the Polish engineer company were lightly wounded and their vehicle seriously damaged.

20. There were 17 instances of firing at or close to UNIFIL positions and personnel by Lebanese armed elements; such firings were protested through the Lebanese Army.

21. As in the past, UNIFIL detonated mines, roadside bombs and unexploded remnants of war and dismantled ordnance of various types in the area of deployment. A total of 412 controlled explosions were carried out.

22. UNIFIL continued to extend humanitarian assistance to the civilian population in its area, to the extent possible within available resources. Assistance was in the form of medical supplies, water, clothes, blankets, food, fuel, electricity and engineering work and repairs to buildings damaged as a result of firing. UNIFIL personnel also escorted farmers to enable them to work their fields which are within range of IDF/DFF positions. In addition, water projects, equipment or services for schools and gifts of supplies to social services and needy people were provided from resources made available by troop-contributing Governments. UNIFIL medical centres and mobile teams provided care to an average of almost 2,500 civilian patients per month. A field dental programme was also provided, treating approximately 500 patients a month. UNIFIL cooperated closely on these matters with the Lebanese authorities, United Nations agencies and programmes operating in Lebanon, the International Committee of the Red Cross and non-governmental organizations.

Observations

23. The situation in southern Lebanon, which continues to be tense and volatile, has remained essentially unchanged and the decisions of the Security Council contained in resolution 425 (1978) and subsequent resolutions, including most recently resolution 938 (1994), remain unfulfilled. Israel has maintained its occupation of parts of south Lebanon, where the Israeli forces and their Lebanese auxiliary continued to be the targets of attacks by armed groups that have proclaimed their resistance against the occupation.

24. UNIFIL continued, to the best of its ability, to limit the conflict and to protect the inhabitants from the effects of the violence, in particular with regard to firing from or at towns and villages. The Force continued its patrols throughout its area of deployment in order to provide greater protection both within the villages and to farmers working in the fields. However, as is evident from the present report, UNIFIL continued to be prevented from fulfilling its mandate.

25. Israel's position with regard to the situation in southern Lebanon is outlined in a letter that the Permanent Representative of Israel to the United Nations addressed to me on 1 August 1994 (S/1994/915) and confirmed in his letter of 18 January 1995 (S/1995/58).

26. Lebanon's position is described in a letter that the Permanent Representative of Lebanon to the United Nations addressed to me on 16 January 1995 (S/1995/45). In the same letter, the Permanent Representative informed me of his Government's decision to request the Security Council to extend UNIFIL's mandate for a further period of six months.

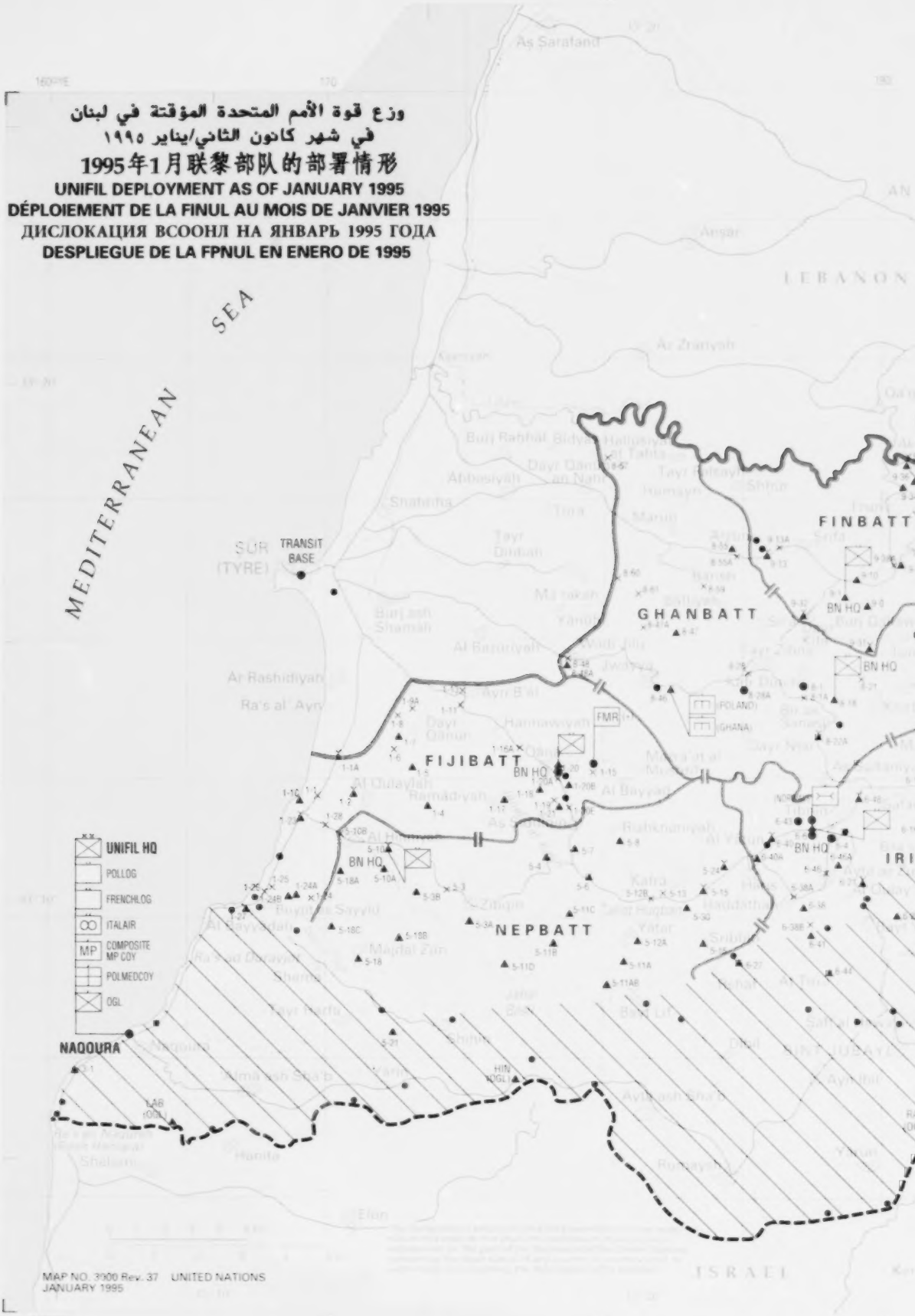
27. Although there has been no progress toward the implementation of UNIFIL's mandate, the Force's contribution to stability in the area and the protection it is able to afford the inhabitants remain important. I therefore recommend that the Security Council accept the Lebanese Government's request and extend UNIFIL's mandate for another period of six months, that is, until 31 July 1995.

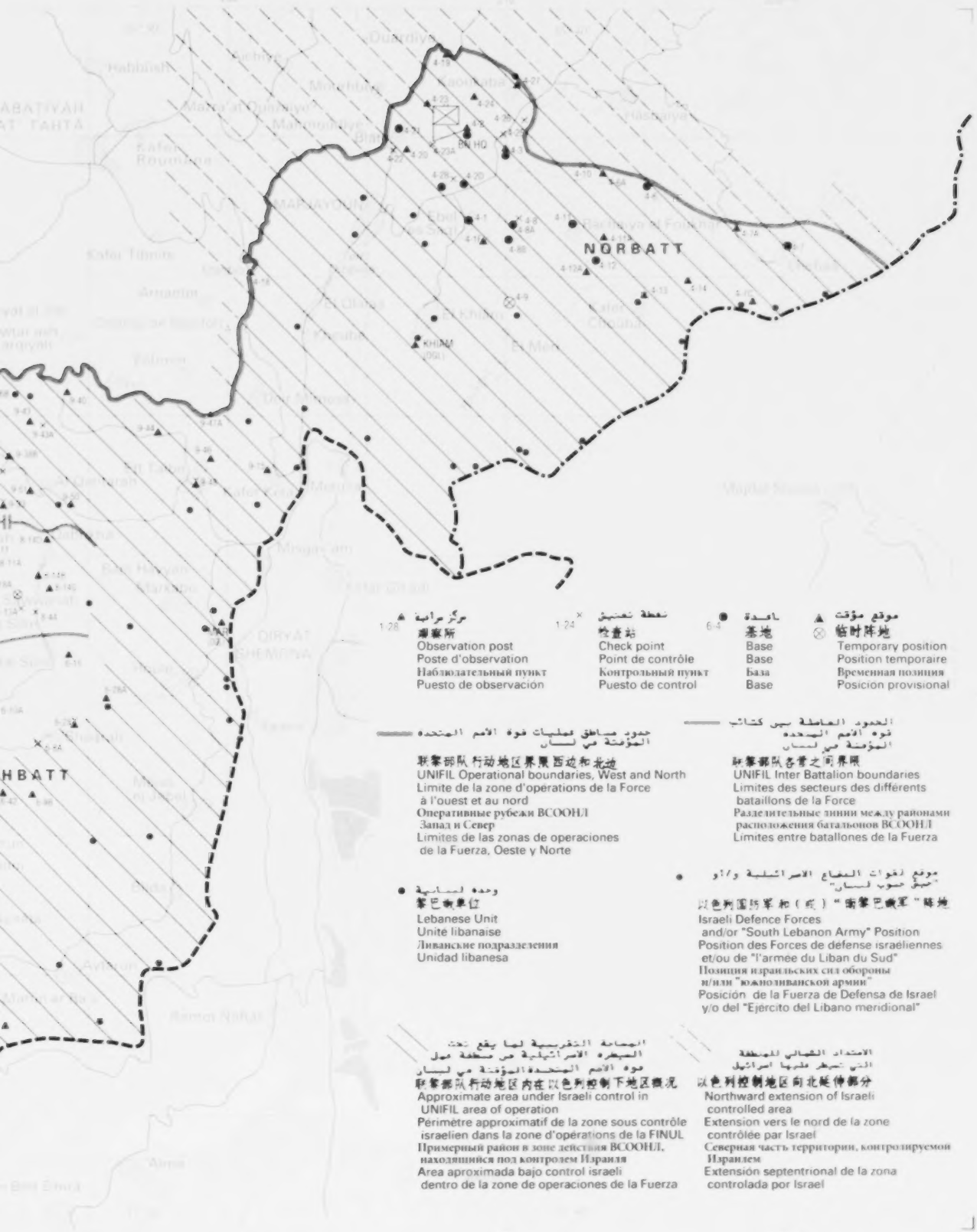
28. In making this recommendation, I must again draw attention to the serious shortfall in the funding of the Force. At present, unpaid assessments amount to some $203.5 million. This represents money owed to Member States that contribute the troops who make up the Force. I appeal to all Member States to pay their assessments promptly and in full and to clear all remaining arrears.

29. In conclusion, I wish to pay tribute to Major-General Trond Furuhovde, the Force Commander, and to all the men and women under his command for the manner in which they have carried out their difficult and often dangerous task. Their discipline and bearing have been of a high order, reflecting credit on themselves, on their countries and on the United Nations.

Notes

1/ Official Records of the Security Council, Thirty-third Year, Supplement for January, February and March 1978, document S/12611.


وزع قوة الأمم المتحدة المؤقتة في لبنان
في شهر كانون الثاني/يناير ١٩٩٥
1995年1月联黎部队的部署情形
UNIFIL DEPLOYMENT AS OF JANUARY 1995
DÉPLOIEMENT DE LA FINUL AU MOIS DE JANVIER 1995
ДИСЛОКАЦИЯ ВСООНЛ НА ЯНВАРЬ 1995 ГОДА
DESPLIEGUE DE LA FPNUL EN ENERO DE 1995
MEDITERRANEAN SEA
LEBANON
ISRAEL
SUR (TYRE)
TRANSIT BASE
NAQOURA
FINBATT
GHANBATT
FIJIBATT
NEPBATT
BN HQ
FMR
POLAND
GHANA
UNIFIL HQ
POLLOG
FRENCHLOG
ITALAIR
COMPOSITE MP COY
POLMEDCOY
OGL
MAP NO. 3900 Rev. 37 UNITED NATIONS
JANUARY 1995



مركز مراقبة
瞭望所
Observation post
Poste d'observation
Наблюдательный пункт
Puesto de observación

نقطة تفتيش
哨查站
Check point
Point de contrôle
Контрольный пункт
Puesto de control

قاعدة
基地
Base
Base
База
Base

موقع مؤقت
临时阵地
Temporary position
Position temporaire
Временная позиция
Posicion provisional

حدود مناطق عمليات قوة الأمم المتحدة المؤقتة في لبنان
联军部队行动地区界限西边和北边
UNIFIL Operational boundaries, West and North
Limite de la zone d'operations de la Force à l'ouest et au nord
Оперативные рубежи ВСООНЛ Запад и Север
Limites de las zonas de operaciones de la Fuerza, Oeste y Norte

الحدود الفاصلة بين كتائب قوة الأمم المتحدة المؤقتة في لبنان
联军部队各营之间界限
UNIFIL Inter Battalion boundaries
Limites des secteurs des différents bataillons de la Force
Разделительные линии между районами расположения батальонов ВСООНЛ
Limites entre batallones de la Fuerza

وحدة لبنانية
黎巴嫩单位
Lebanese Unit
Unité libanaise
Ливанские подразделения
Unidad libanesa

موقع لقوات الدفاع الاسرائيلية و/أو "جيش جنوب لبنان"
以色列国防军和（或）"南黎巴嫩军"阵地
Israeli Defence Forces and/or "South Lebanon Army" Position
Position des Forces de défense israéliennes et/ou de "l'armee du Liban du Sud"
Позиция израильских сил обороны и/или "южноливанской армии"
Posición de la Fuerza de Defensa de Israel y/o del "Ejército del Líbano meridional"

المساحة التقريبية لما يقع تحت السيطرة الاسرائيلية من منطقة عمل قوة الأمم المتحدة المؤقتة في لبنان
联军部队行动地区内在以色列控制下地区概况
Approximate area under Israeli control in UNIFIL area of operation
Périmètre approximatif de la zone sous contrôle israelien dans la zone d'opérations de la FINUL
Примерный район в зоне действия ВСООНЛ, находящийся под контролем Израиля
Area aproximada bajo control israeli dentro de la zone de operaciones de la Fuerza

الامتداد الشمالي للمنطقة التي تحتفظ بقبضها اسرائيل
以色列控制地区向北延伸部分
Northward extension of Israeli controlled area
Extension vers le nord de la zone contrôlée par Israel
Северная часть территории, контролируемой Израилем
Extensión septentrional de la zona controlada por Israel

UNITED
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Security Council

Distr.
GENERAL

S/1995/67
23 January 1995

ORIGINAL: ENGLISH

LETTER DATED 19 JANUARY 1995 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 940 (1994) of 31 July 1994 by which the Security Council decided to extend the mandate and to increase the troop strength of the United Nations Mission in Haiti (UNMIH).

Having completed consultations and in addition to the States mentioned in my letter of 16 January 1995, I propose that the military component of UNMIH be composed of contingents from the following Member States: the Commonwealth of the Bahamas, Botswana, Costa Rica, Honduras, the Kingdom of Nepal, the Kingdom of the Netherlands and the Slovak Republic.

All of these States have expressed their readiness in principle to make the necessary personnel available.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

95-01938 (E) 230195 240195

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Security Council

Distr.
GENERAL

S/1995/68
23 January 1995

ORIGINAL: ENGLISH

LETTER DATED 23 JANUARY 1995 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 19 January 1995 (S/1995/67) concerning additions to the list of countries contributing military personnel to the United Nations Mission in Haiti (UNMIH) has been brought to the attention of the members of the Council. They note the information contained in the letter and agree with the proposal contained therein.

(Signed) Emilio J. CARDENAS
President of the
Security Council

95-01944 (E) 230195 240195

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/69
23 January 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 22 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and further to my letter dated 16 January 1995 (S/1995/48), I have the honour to inform you that at 1455 hours on 19 January 1995 19 armed men disembarked in rubber boats from the United States frigate bearing the number 48 and boarded the Iraqi vessel Al-Tharthar, which is assigned to carry water, while it was supplying water to the tug Al-Bakr in an area near the port of Al-Mina' al-Amiq. They took the vessel Al-Tharthar to an unknown area at a 180-degree bearing from Al-Mina' al-Amiq before releasing it at 1840 hours on the same day.

These repeated inimical and unlawful acts on the part of the Government of the United States of America provide cogent proof of its hostile intentions against Iraq and demonstrate its persistence in violating Iraq's national sovereignty. They also constitute a flagrant violation of the Charter of the United Nations and the norms of international law.

I request you to intervene, as required by the responsibilities entrusted to you under the Charter, with a view to preventing any future repetition of hostile, provocative and unwarranted acts such as these.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

95-01958 (E) 240194 240195 250195

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Security Council

Distr.
GENERAL

S/1995/70
23 January 1995

ORIGINAL: ENGLISH

LETTER DATED 23 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey to you the text of the ninth report of the Multinational Force in Haiti, dated 23 January 1995, submitted to the Security Council in accordance with paragraph 13 of Security Council resolution 940 (1994).

I would be grateful if you would circulate the present letter and its annex as a document of the Security Council.

(Signed) Madeleine K. ALBRIGHT

95-01964 (E) 230195 240195

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Annex

Ninth report of the Multinational Force in Haiti, 23 January 1995

I. INTRODUCTION

1. In its resolution 940 (1994) of 31 July 1994, the Security Council authorized "Member States to form a multinational force ... to use all necessary means to facilitate the departure from Haiti of the military leadership, consistent with the Governors Island Agreement, the prompt return of the legitimately elected President and the restoration of the legitimate authorities of the Government of Haiti, and to establish and maintain a secure and stable environment that will permit the implementation of the Governors Island Agreement". The Council further requested States Members of the Multinational Force "to report to the Security Council at regular intervals".

2. This is the ninth such report, summarizing the operations of the Multinational Force in Haiti from 8 to 22 January 1995 and reporting on the coalition's progress towards achieving the objectives laid out in resolution 940 (1994).

II. SUMMARY OF OPERATIONS

3. The two-week period from 8 to 22 January 1995 was characterized by continued security and stability in Haiti. Incidents of violence among Haitians continued to be minimal and indiscriminate in nature. Rotation of United States forces is continuing smoothly and Major General Fisher assumed command of the Multinational Force from Major General Meade on 15 January. Currently, there are 9,113 troops of the Multinational Force in Haiti, and 683 international police monitors.

4. On 12 January, a member of the United States contingent of the Multinational Force was shot of death and a second was wounded in a confrontation with a former soldier of the Forces armées who refused to pay a toll on highway 100 in Gonaives. The attacker was himself killed when the wounded special forces soldier returned fire. This incident was the result of an isolated act perpetrated by an irate individual. The incident does not represent a change in attitude of the general Haitian population towards the Multinational Force.

5. The Multinational Force continued to expand its operations into outlying areas of Haiti. Missions conducted during this period include Archaie and Limonade. The presence of the Multinational Force has enhanced the secure and stable environment. The use and combination of air and ground movements to establish presence in remote locations have proved effective. Forces of the Multinational Force continue to be welcomed by the local populace.

6. Special Forces operational areas remain stable and secure. An ongoing land dispute/feud continues in the Artibonite region (between Gonaives and St. Marc). There have been three murders in the region in the past month owing to land

disputes caused by successive Governments issuing land deeds for the same valuable farm land. No acts of violence have been reported there since 8 January, when Special Forces began intensified patrolling of the region with the Interim Public Security Force. The Multinational Force is planning a mission to the area to help maintain the peace and to allow the Government of Haiti to seek a legal solution. A powerful local faction of Lavalas closed the port of Miragoana in protest over a lack of progress in public services on 12 January, but it was reopened through the intervention of the Multinational Force. The Government of Haiti assigned a new port director on 16 January and is seeking a long-term solution.

7. Although the threat to Multinational Force forces remains low, isolated incidents of crime within the Port-au-Prince area prompted the Multinational Force to continue anti-crime missions within Port-au-Prince. These operations have been productive and will continue as a deterrent to crime in the city. Missions to Petionville, La Saline Blvd., Salassie Street and downtown Port-au-Prince were executed during this period.

8. The weapons buy-back programme continues. An additional 180 weapons and 173 munitions were purchased during this period, bringing the total number of weapons recovered by the Multinational Force to approximately 21,000.

III. ESTABLISHING A SECURE AND STABLE ENVIRONMENT

9. Improvements to the Haitian Interim Public Security Force continued. The international police monitors continued to coach, mentor and to monitor the Interim Public Security Force. The fourth and final group of 211 Guantanamo trainees have completed their in-country training and have been transported to locations throughout Haiti. The Government of Haiti, assisted by the International Criminal Investigative Training Assistance Program of the United States Department of Justice has begun testing Haitian civilians for the new police force and has asked Multinational Force teams throughout Haiti to assist in the process of vetting candidates.

10. The Multinational Force, international police monitors and the International Criminal Investigative Training Assistance Program of the United States Department of Justice opened new lines of communication with the Government of Haiti on police and military issues by initiating the Haitian Security Working Group on 5 January 1995. Haitian officials attending the group meeting included the ministers and secretaries of defence and justice, and President Aristide's chief of staff. Subsequent meetings were held on 9 and 16 January.

11. The Government of Haiti continues with the drawdown and reorganization of the Forces armées. The Multinational Force has worked with the Ministry of Defence and other elements of the Haitian Government to facilitate a smooth and orderly demobilization, including assignments for onward employment and vocational training for those leaving the military.

12. The Sassine warehouse complex has been the scene of increased looting by Haitians. Security and fire safety at the Port-au-Prince port are issues for concern.

13. During the reporting period, planning continued on the transition to the United Nations Mission in Haiti (UNMIH). UNMIH force commander Kinzer arrived in Haiti on 17 January to conduct further planning.

14. The provisional electoral council has been selected. Election legislation is currently in Parliament for review. The legislation will establish the timetable and election dates, and give authority to the provisional electoral council to oversee the elections. The Elections Assistance Office of the United Nations Secretariat estimates that balloting will occur in May 1995.

UNITED NATIONS **S**

Security Council

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S/1995/71
23 January 1995

ORIGINAL: ENGLISH

LETTER DATED 23 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to my letter dated 20 January 1995, which contained in its annex the text of a statement made by H.E. Mr. Rauf Denktaş, President of the Turkish Republic of Cyprus, on 20 January 1995 concerning the peace initiative undertaken by the Turkish Cypriot side (S/1995/62), I have the honour to transmit herewith the text of the press statement made by the Spokesman of the Ministry of Foreign Affairs of Turkey, supporting the substantial proposals made by President Denktaş in his above-mentioned statement with regard to the political process leading to a settlement.

I should be grateful if the text of the present letter and its annex would be circulated as a document of the Security Council.

(Signed) İnal BATU
Ambassador
Permanent Representative

Annex

Press statement made by the Spokesman of the Ministry of Foreign Affairs of Turkey

The proposals put forward by H.E. Mr. Rauf Denktaş, President of the Turkish Republic of Northern Cyprus, on 20 January 1995, constitute constructive and positive steps taken by the Turkish Cypriot side towards a negotiated settlement of the Cyprus question. The position taken by President Denktaş with the aim of creating an environment of mutual confidence in Cyprus and the substantial proposals he made, by their nature, would give an impetus to the political process leading to a settlement. The Turkish Cypriot side has thus displayed once again, its political will to achieve a settlement.

Turkey wants a viable settlement in Cyprus through negotiations and supports the position and proposals of President Denktaş. It is our hope that the third parties will give careful consideration to these substantial proposals.

Once an agreement is reached on the package of confidence-building measures, as suggested by the Secretary-General of the United Nations, and negotiations on measures to reduce the tension between the two sides are initiated, Turkey would be prepared to make its contribution to facilitate the negotiations, with a view to helping develop an environment of confidence in the island.

In this context, in the interest of maintaining peace and stability in the region, we expect that the excessive armaments programme of southern Cyprus and the increased military activities of Greece in Cyprus, under the "joint military doctrine", will be discontinued.

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GENERAL

~~A/49/839~~
S/1995/72
24 January 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 39
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 23 January 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I am writing to you concerning the statement made by the Permanent Representative of Germany to the United Nations at the 3487th meeting of the Security Council on 12 January 1995, on the occasion of the adoption of resolution 970 (1995), and, upon instructions of my Government, I have the honour to state the following.

The Federal Republic of Yugoslavia was appalled that the representative of Germany stated that "Serbian nationalism - the ruthless readiness to wage war for more territory - was and continues to be a main cause of this conflict" in the former Yugoslavia.

It is particularly absurd and tendentious that the representative of Germany, a country whose drive for the premature recognition of the secessionist former Yugoslav republics primarily contributed to the outbreak of the civil war in Croatia and Bosnia and Herzegovina, should be putting forward such ill-intentioned and malicious untruths.

Instead of preaching about the alleged role that the Serbian people played in the breakup of the former Socialist Federal Republic of Yugoslavia, Germany would do well to focus on its own grave, well-documented and widely acknowledged responsibility for supporting secessionist tendencies in the former Yugoslavia and striving to recognize the separatist republics for its own self-centred interests.

Contrary to the allegations advanced by the representative of Germany concerning the "Serbian aggression", it is well known that what is happening in some parts of the former Yugoslavia is a civil war, which has been identified as such by both Presidents Clinton and Yeltsin as well as Lord Carrington and many others.

Many world leaders and key decision makers, among others, former United States Secretary of State James Baker, present Secretary of State Warren Christopher as well as the Co-Chairmen of the International Conference on the Former Yugoslavia, have also publicly stated concerning the situation in the former Yugoslavia that Germany bears particular responsibility for the premature recognition of Croatia and Bosnia and Herzegovina which sparked off the civil war.

The notion put forward in the Security Council by the representative of Germany that mutual recognition between all States of the former Yugoslavia at the earliest possible date is an urgent political necessity is also erroneous. Considering that the premature recognition of the former secessionist Yugoslav republics, before the political issues among their constituent nations were resolved, created great bloodshed and atrocities, it would be an act of great political irresponsibility to ask the Federal Republic of Yugoslavia to make the same mistake that has been committed by the international community.

The tone and approach of the representative of Germany towards the Federal Republic of Yugoslavia are equally unacceptable, although Germany may have gotten used to employing such a tone in addressing some other countries and former Yugoslav republics.

It goes without saying that the Federal Republic of Yugoslavia is fully prepared to develop dialogue and cooperation with all countries of the world, including Germany, but it can do so only on the footing of equality and full mutual respect.

I should be grateful if you would have the present letter circulated as an official document of the forty-ninth session of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires, a.i.

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General Assembly
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Distr.
GENERAL

~~A/49/036~~
S/1995/73
25 January 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 51
QUESTION OF CYPRUS

SECURITY COUNCIL
Fiftieth year

Letter dated 25 January 1995 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith the text of a statement issued by H.E. the President of the Republic of Cyprus, Mr. Glafcos Clerides, dated 21 January 1995 (see annex).

I should be grateful if the text of the statement would be circulated as a document of the forty-ninth session of the General Assembly, under agenda item 51, and of the Security Council.

(Signed) Alecos H. SHAMBOS
Ambassador
Permanent Representative
of the Republic of Cyprus
to the United Nations

95-02191 (E) 260195 270195

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ANNEX

Statement issued by the President of the Republic of Cyprus on 21 January 1995

1. I have considered with great care the content of the statement issued by the Turkish Cypriot side (see S/1995/62, annex, appendix), which was made on the eve of the visit to Cyprus of Mr. Beattie, the envoy of President Clinton.

2. In order to approach the statement with an open mind, I admonished myself to concentrate on its content and to ignore recent statements made by Mr. Denktash to the effect that the military establishment in Turkey held the view that minimal concessions should be made in order to find a solution to the Cyprus problem, a view which he stated that he shared, and in order to avoid confrontation with the political establishment during the negotiations he was playing for time.

3. My observations on the content of the statement are the following:

(a) With regard to the introductory part of the Turkish Cypriot statement, which alleges that the Turkish Cypriots and the Greek Cypriots are co-owners of the State of Cyprus and that Cyprus is their common home, my comment is that the Cyprus State is not a piece of real estate which is owned either by the Greek Cypriot or the Turkish Cypriot community, but is a State inhabited by 82 per cent Greek Cypriot citizens who belong to the Greek Cypriot community, 18 per cent Turkish Cypriot citizens who belong to the Turkish Cypriot community, by the Maronites, who have been living in Cyprus for centuries, the Latins, and the Armenians who took refuge in Cyprus after their persecution in Turkey. The State of Cyprus is, therefore, the common home of all its citizens;

(b) The Greek Cypriot side accepted and continues to accept that the solution to the Cyprus problem must be found by peaceful means and in order to demonstrate its belief in the peaceful negotiation process and remove suspicions, it proposed that the leaders of both communities should make a solemn declaration that neither community will attack the other and the Government of the Republic should abolish the National Guard, hand all its equipment and weapons to the United Nations, stop purchasing arms, accept United Nations inspection, deposit all money saved from the purchase of arms to a United Nations account to be used for infrastructure works beneficial to both communities and pay the total costs of a numerically increased peace-keeping force, on condition that Turkish Forces would be withdrawn from Cyprus and the Turkish Cypriot Forces would also hand their equipment to the United Nations. Unfortunately the proposal was rejected by the Turkish side;

(c) The Greek Cypriot side accepted since 1977 the agreement made by the late President of the Republic Archbishop Makarios and Mr. Denktash which was reconfirmed by President Kyprianou in 1979, i.e., that the solution to the Cyprus problem would be based on a bi-communal, bi-zonal federation. The Greek Cypriot side continues to accept both these agreements;

(d) The Turkish Cypriot statement attributes the failure to establish a bi-zonal federation, despite the fact that such negotiations started in 1977, to the absence of mutual trust and in support of this view it quotes the report of the Secretary-General of 19 November 1992 (S/24830), which stated that there was a deep crisis of confidence between the two sides, which made it difficult to envisage any successful outcome to the talks for as long as the situation prevailed. The Secretary-General also made other important diagnoses in his report to the Security Council of 30 May 1994 (S/1994/629), i.e., that the absence of progress was owing to the lack of political will by the Turkish Cypriot leadership, and the fact that the Turkish Cypriot side flouted international opinion as expressed in the Security Council.

4. The Turkish Cypriot statement that the Turkish Cypriot side accepts a bi-communal, bi-zonal federation does not amount to much. The stumbling block was never the title of the solution but its content.

5. The Greek Cypriot side accepted what was contained in numerous United Nations resolutions and was repeated on 29 July 1994 in paragraph 2 of resolution 939 (1994), in which the Security Council stated that the Federal Republic must have a single sovereignty. The Turkish Cypriot side insists that the "cantons" must have their own separate sovereignty.

6. The Greek Cypriot side accepted the definition which the Secretary-General gave in his report to the Security Council regarding the meaning of equal political status of both communities, i.e., that it does not mean numerically equal representations of two communities, one of which constitutes 82 per cent of the population and the other 18 per cent, but effective participation. The Turkish Cypriot side insists that equal political status means equal representation, consensus decisions and Presidency by rotation.

7. There are also substantial differences on all other major issues, such as the demilitarization, the treaties of guarantee, the settlers, the territorial and constitutional aspects, the accession of Cyprus to the European Union, etc.

8. The recent informal meeting between Mr. Denktash and myself in October 1994 demonstrated beyond any doubt that the Turkish side is not willing to be flexible on any of the main issues. A repetition, therefore, of talks will only mean a repetition of the same worn-out arguments which both sides know by heart. Furthermore, another failure to make progress on the substance will destroy the credibility of the negotiating process which after many years of repeated failures stands at the bottom level.

9. The Greek Cypriot side is willing to engage in a new negotiation process on the substance as soon as it is clear through shuttle diplomacy that sufficient common ground has been established on the main issues to make direct negotiations meaningful.

10. The Greek Cypriot side holds the view that implementation of the confidence-building measures without finding a common basis of the main issues will not contribute to the solution, but will perpetuate the status quo.

11. The Greek Cypriot side does not accept that the issue of joining the European Union is a matter to be discussed as soon as an agreement is reached on a bi-zonal, bi-communal federal solution. Acceptance by the Turkish Cypriot community to support the application of Cyprus to the already advanced road to become a member of the European Union will have a positive effect on finding a common ground for agreement.

12. The Greek Cypriot side believes that a joint declaration by the leaders of non-aggression will only create the much-desired climate of mutual trust if it is accompanied with a timetable for the withdrawal of the Turkish Forces and a timetable for abolishing the National Guard, the Turkish Cypriot Forces, the handing of their weapons to the United Nations, the stoppage of purchasing arms, United Nations inspection and a substantial increase of the United Nations Peace-keeping Force in Cyprus. Anything short of this will be unconvincing semantics.

13. With regard to the Turkish Cypriot proposal that in order to create trust and to contribute to the political process for a bi-communal and bi-zonal federal solution we should set up a transitional joint body to be chaired by the leaders of the two communities to look into daily matters and to develop and supervise the implementation of joint projects, this could only be done after agreement is reached on the main issues, otherwise it will be counter-productive. It will tend to perpetuate the status quo and to cultivate the mentality that the solution will be in many years to come and that in the meantime the status quo shall continue with the cooperation on some issues by both sides.

14. With regard to the unilateral declaration of the Turkish Cypriot side to improve the living conditions of the Greek Cypriots and the Maronites, we express our appreciation that the Turkish Cypriot side has realized that the living conditions of the Greek Cypriots in the north and the Maronites require betterment. I wish to point out that the third Vienna agreement which Mr. Denktash and I made many years ago provided for normal living conditions and the conditions of living of the enclaved persons were far from being normal. In this respect the confidential report to the United Nations Secretariat by the United Nations officer responsible for observing the situation throws ample light.

15. It is my earnest desire for an early solution to the Cyprus problem based on a bi-communal, bi-zonal federation with one single sovereignty, one citizenship and one international personality and I am anxious that no further time shall be wasted through repetition of endless discussions and arguments, but strongly recommend that the main issues of the Cyprus problem be addressed in a comprehensive manner and in a way that will yield results.

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GENERAL ASSEMBLY
Forty-ninth session
Agenda item 15 (c)
ELECTIONS TO FILL VACANCIES IN PRINCIPAL ORGANS: ELECTION OF A MEMBER OF THE INTERNATIONAL COURT OF JUSTICE

SECURITY COUNCIL
Fiftieth year

List of candidates nominated by national groups

Note by the Secretary-General

1. By a communication dated 21 October 1994, addressed to States parties to the Statute of the International Court of Justice, the Secretary-General drew attention to the vacancy in the International Court of Justice caused by the death of Judge Nikolai Konstantinovitch Tarassov (Russian Federation) on 28 September 1994. In the same communication, the Secretary-General, in accordance with article 5, paragraph 1 of the Statute of the Court, invited the national groups of States parties to the Statute to undertake the nomination of persons in a position to accept the duties of a member of the Court. The Secretary-General further requested that nominations should be received no later than 10 January 1995. The nominations thus received have appeared in documents A/49/828-S/1995/34 and Add.1.

2. The Secretary-General received the following nominations by national groups after 10 January 1995:

Name and nationality	Nominated by the national group of
Vladlen S. Vereshchetin (Russian Federation)	Germany (24 January 1995: date of receipt) Japan (23 January 1995: date of receipt)

95-02197 (E) 250195 260195